

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 7000-334

First Inventor Yoakum et al.

Title USING ADDITIONAL INFORMATION PROVIDED IN SESSION REQUESTS

Express Mail Label No. EV086422414US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 16]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages 3]
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 C.F.R. §3.73(b) Statement ☒ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

Prior application information: Examiner \_\_\_\_\_

of prior application No: \_\_\_\_\_ / \_\_\_\_\_

Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

27820

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Benjamin S. Withrow

Registration No. (Attorney/Agent)

40,876

Signature

Date

February 23, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

Complete if Known

Application Number  
Filing Date February 23, 2004  
First Named Inventor Yoakum et al.  
Examiner Name  
Group / Art Unit  
Attorney Docket No. 7000-334

TOTAL AMOUNT OF PAYMENT (\$) 1206

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

50-1732

Deposit  
Account  
Name

Withrow & Terranova, PLLC

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☐ Check ☒ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description        | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|------------------------|----------|
| 1001                 | 770                   | 2001                 | 385                   | Utility filing fee     | 770      |
| 1002                 | 340                   | 2002                 | 170                   | Design filing fee      |          |
| 1003                 | 530                   | 2003                 | 265                   | Plant filing fee       |          |
| 1004                 | 770                   | 2004                 | 385                   | Reissue filing fee     |          |
| 1005                 | 160                   | 2005                 | 80                    | Provisional filing fee |          |

SUBTOTAL (1)

(\$ 770)

### 2. EXTRA CLAIM FEES

|                    |    |       |   |    |   |    |   |     |
|--------------------|----|-------|---|----|---|----|---|-----|
| Total Claims       | 42 | -20** | = | 22 | X | 18 | = | 396 |
| Independent Claims | 2  | -3**  | = | 0  | X | 86 | = | 0   |
| Multiple Dependent |    |       |   |    | X |    | = | 0   |

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  |
|----------------------|-----------------------|----------------------|-----------------------|--|
| 1202                 | 18                    | 2202                 | 9                     | Claims in excess of 20                                     |
| 1201                 | 86                    | 2201                 | 43                    | Independent claims in excess of 3                          |
| 1203                 | 290                   | 2203                 | 145                   | Multiple dependent claim, if not paid                      |
| 1204                 | 86                    | 2204                 | 43                    | ** Reissue independent claims over original patent         |
| 1205                 | 18                    | 2205                 | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$ 396)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Small<br>Fee<br>Code | Entity<br>Fee<br>(\$) | Fee Description  | Fee Paid |
|----------------------|-----------------------|----------------------|-----------------------|--|----------|
| 1051                 | 130                   | 2051                 | 65                    | Surcharge - late filing fee or oath  |          |
| 1052                 | 50                    | 2052                 | 25                    | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053                 | 130                   | 1053                 | 130                   | Non-English specification  |          |
| 1812                 | 2,520                 | 1812                 | 2,520                 | For filing a request for reexamination                                     |          |
| 1804                 | 920*                  | 1804                 | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                 | 1,840*                | 1805                 | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                 | 110                   | 2251                 | 55                    | Extension for reply within first month                                     |          |
| 1252                 | 420                   | 2252                 | 210                   | Extension for reply within second month                                    |          |
| 1253                 | 950                   | 2253                 | 475                   | Extension for reply within third month                                     |          |
| 1254                 | 1,480                 | 2254                 | 740                   | Extension for reply within fourth month                                    |          |
| 1255                 | 2,010                 | 2255                 | 1,005                 | Extension for reply within fifth month                                     |          |
| 1401                 | 330                   | 2401                 | 165                   | Notice of Appeal   |          |
| 1402                 | 330                   | 2402                 | 165                   | Filing a brief in support of an appeal                                     |          |
| 1403                 | 290                   | 2403                 | 145                   | Request for oral hearing   |          |
| 1451                 | 1,510                 | 1451                 | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                 | 110                   | 2452                 | 55                    | Petition to revive - unavoidable   |          |
| 1453                 | 1,330                 | 2453                 | 665                   | Petition to revive - unintentional   |          |
| 1501                 | 1,330                 | 2501                 | 665                   | Utility issue fee (or reissue)   |          |
| 1502                 | 480                   | 2502                 | 240                   | Design issue fee   |          |
| 1503                 | 640                   | 2503                 | 320                   | Plant issue fee  |          |
| 1460                 | 130                   | 1460                 | 130                   | Petitions to the Commissioner  |          |
| 1807                 | 50                    | 1807                 | 50                    | Processing fee for provisional applications                                |          |
| 1806                 | 180                   | 1806                 | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021                 | 40                    | 8021                 | 40                    | Recording each patent assignment per property (times number of properties) | 40       |
| 1809                 | 770                   | 2809                 | 385                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                 | 770                   | 2810                 | 385                   | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                 | 770                   | 2801                 | 385                   | Request for Continued Examination (RCE)                                    |          |
| 1802                 | 900                   | 1802                 | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 40)

## SUBMITTED BY

Name (Print/Type) Benjamin S. Withrow Registration No. Attorney/Agent 40,876 Telephone 919-654-4520  
Signature Date February 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

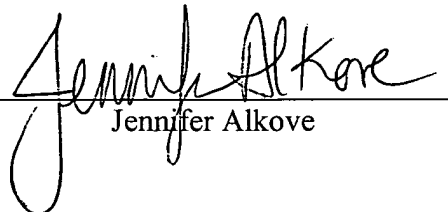
CERTIFICATE OF MAILING/EXPRESS MAIL

"Express Mail" Mailing Label Number EV086422414US

Date of Deposit February 23, 2004

I hereby certify that this paper, which is a Utility Patent Application entitled **USING  
ADDITIONAL INFORMATION PROVIDED IN SESSION REQUESTS** (our file 7000-334), and the attached fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Patent Application, PO Box 1450, Alexandria, VA 22313-1450.

Mailed By:

  
Jennifer Alkove

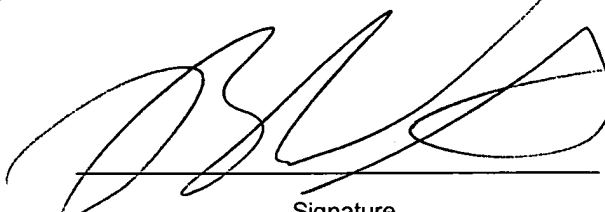
EV086422414US)

|  |                      |  |               |
|--|----------------------|--|---------------|
| <b>REQUEST AND CERTIFICATION<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor |  | Yoakum et al. |
|  | Title                | USING ADDITIONAL INFORMATION PROVIDED IN<br>SESSION REQUESTS |               |
|  | Atty Docket Number   |  | 7000-334      |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

February 23, 2004

Date



Signature

Benjamin S. Withrow, Reg. No. 40,876

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, USPTO, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.